

1968/151

THE TOHEROA REGULATIONS 1955, AMENDMENT NO. 5

ARTHUR PORRITT, Governor-General

ORDER IN COUNCIL

At the Government House at Wellington this 26th day of August 1968

Present:

HIS EXCELLENCY THE GOVERNOR-GENERAL IN COUNCIL

PURSUANT to the Fisheries Act 1908, His Excellency the Governor-General, acting by and with the advice and consent of the Executive Council, hereby makes the following regulations.

REGULATIONS

1. Title and commencement—(1) These regulations may be cited as the Toheroa Regulations 1955, Amendment No. 5, and shall be read together with and deemed part of the Toheroa Regulations 1955* (hereinafter referred to as the principal regulations).

(2) These regulations shall come into force on the 1st day of September 1968, and shall continue in force until the 30th day of that month and shall then expire with that date and thereupon be deemed to be revoked.

2. Close season for the taking of toheroa—While this regulation continues in force, regulation 2 of the principal regulations shall be read as if there were added to the definition of “close season” in subclause (1) the words “and, in relation to the beaches in the North Island north of latitude 39°S, includes the period commencing with the 1st day of September 1968 and ending with the 15th day of that month”.

3. Restrictions on taking toheroa—While this regulation continues in force, regulation 7 of the principal regulations (as substituted by regulation 6 of the Toheroa Regulations 1955, Amendment No. 2) shall be read as if the following subclause were added as subclause (2):

“(2) Notwithstanding the provisions of subclause (1) of this regulation, no person shall on any one day take from any of the beaches in the North Island more than 10 toheroa.”

*S.R. 1955/206

Amendment No. 1: S.R. 1962/131

Amendment No. 2: S.R. 1965/111

Amendment No. 3: S.R. 1967/187 (*Revoked by S.R. 1968/133*)

Amendment No. 4: S.R. 1968/133

4. Restrictions in respect of toheroa on board conveyances, etc.—

While this regulation continues in force, regulation 8 of the principal regulations (as substituted by regulation 8 of the Toheroa Regulations 1955, Amendment No. 2) shall be read as if the following subclause were inserted after subclause (1):

“(1A) Notwithstanding the provisions of subclause (1) of this regulation, no person shall—

“(a) Convey or cause to be conveyed by any means whatsoever or have on board any conveyance of any kind or on any animal more than 30 toheroa (not being canned toheroa) taken from any beach in the North Island or, if fewer than three persons are in or on board the conveyance or on the animal, more than 10 toheroa (not being canned toheroa) so taken for each person:

“(b) Have on board any conveyance of any kind or on any animal for the time being on any beach in the North Island more than 30 toheroa (not being canned toheroa) or, if fewer than three persons are in or on board or associated with the conveyance or on or associated with the animal, more than 10 toheroa (not being canned toheroa) for each person.”

5. Revocation—The Toheroa Regulations 1955, Amendment No. 4, are hereby revoked.

P. J. BROOKS,
Clerk of the Executive Council.

EXPLANATORY NOTE

This note is not part of the regulations, but is intended to indicate their general effect.

These regulations extend the close season for the taking of toheroa from beaches in the North Island north of latitude 39°S (i.e., a line extending approximately from Waitara to the Mahia Peninsula) to the period commencing with 1 September 1968 and ending with 15 September 1968. The beds on those beaches will be open from and including 16 September 1968 until the end of the month. The personal quota limit for the taking of toheroa from any beach in the North Island (including any beach south of latitude 39°S) during the open season is being reduced from 20 toheroa to 10, while the vehicle and animal quota limit applicable during the North Island open season is being reduced from 100 toheroa to 30.

Issued under the authority of the Regulations Act 1936.

Date of notification in *Gazette*: 29 August 1968.

These regulations are administered in the Marine Department.